UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,391	09/28/2004	Guido Greco	Q83894	5839
23373 SUGHRUE MI	7590 06/24/200 ON, PLLC	EXAMINER		
2100 PENNSY	LVÁNIA AVENUE, N	CHEN, JOSE V		
SUITE 800 WASHINGTOI	N, DC 20037	ART UNIT	PAPER NUMBER	
			3637	
		MAIL DATE	DELIVERY MODE	
			06/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary		Application	on No.	Applicant(s)					
		10/509,39	91	GRECO ET AL.					
		Examine	•	Art Unit					
		José V. C	hen	3637					
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REICHEVER IS LONGER, FROM THE MAILING asions of time may be available under the provisions of 37 CFR SIX (6) MONTHS from the mailing date of this communication. It is period for reply is specified above, the maximum statutory per to reply within the set or extended period for reply will, by state that the reply received by the Office later than three months after the material part of the provided patent term adjustment. See 37 CFR 1.704(b).	DATE OF THE 1.136(a). In no eviced will apply and watte, cause the app	HIS COMMUNICATION ent, however, may a reply be tin ill expire SIX (6) MONTHS from lication to become ABANDONE	N. nely filed the mailing date of this of D (35 U.S.C. § 133).	•				
Status									
1) 又	Responsive to communication(s) filed on 18	R March 2008							
-	This action is FINAL . 2b) ☐ This action is non-final.								
3)	Since this application is in condition for allow			secution as to the	e merits is				
٠,١	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disposit	on of Claims								
4)🖂	Claim(s) 14-27 is/are pending in the applica	ition.							
<i>,</i> —	4a) Of the above claim(s) <u>20</u> is/are withdrawn from consideration.								
	Claim(s) is/are allowed.								
′—	6)⊠ Claim(s) <u>14-19, 21-27</u> is/are rejected.								
-	Claim(s) are subject to restriction and	d/or election r	equirement.						
Applicat	ion Papers								
	The specification is objected to by the Exam	iner							
•			☐ objected to by the f	Examiner.					
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).									
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.05(a).									
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.									
Priority ι	ınder 35 U.S.C. § 119								
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:									
۵)	1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No								
	3. Copies of the certified copies of the priority documents have been received in this National Stage								
	application from the International Bureau (PCT Rule 17.2(a)).								
* See the attached detailed Office action for a list of the certified copies not received.									
			•						
Attachmen	t(e)								
_	e of References Cited (PTO-892)		4) Interview Summary	(PTO-413)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date									
3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application 6) Other:									
Paper No(s)/Mail Date 6) L Other:									

10/509,391 Art Unit: 3637

DETAILED ACTION

It is repeated that copies of the foreign reference filed in the IDS, be sent to this office.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

- 1. Determining the scope and contents of the prior art.
- 2. Ascertaining the differences between the prior art and the claims at issue.
- 3. Resolving the level of ordinary skill in the pertinent art.
- 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 14-19, 21, 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Limberger in view of Taub. The patent to Limberger teaches structure substantially as claimed including uprights (11), covering panels (16), upper, lower plates (figs. 1, 4), connection means (figs. 2, 3, 5), frontal zone, the connection means including channels and folded wings the only difference being that the covering panels are not in a curvature. However, the patent to Taub teaches the use of providing a curvature for the panels. It would have been obvious at the time of the invention to modify the structure of Limberger to include a curved surface side panel, as taught by

Taub since such structures are conventional alternative structures used in the same intended purpose, and would have been a predictable result, thereby providing structure as claimed. The use of ties to brace structures are well known structures and the use of such would have been obvious and well within the level of ordinary skill in the art. Further, the method would have been obvious in view of the structures.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Limberger in view of Taub as applied to the claims above, and further in view of Rauls. The patent to Limberger in view of Taub teaches structure substantially as claimed as discussed above including a frontal zone, the only difference being that the frontal zone is not provided with a support that can be moved or tilted. However, the patent to Rauls (fig. 1) teaches such structure to be old. It would have been obvious and well within the level of ordinary skill in the art to modify the structure of Limberger in view of Taub to include a work surface that can be moved, as taught by Rauls, since such structures are conventional alternative structures used in the same intended purpose and would have been predictable, thereby providing structure as claimed.

Claims 23-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Limberger in view of Taub as applied to the claims above, and further in view of Priesemuth. The patent to Limberger in view of Taub teaches structure substantially as claimed as discussed above including an upper plate, the only difference being that the plate does not include openings to house components. However, the patent to Priesemuth teaches the use of providing holding structure in the form of openings and coverings to be old. It would have been obvious and well within the level of ordinary

skill in the art at the time of the invention was made to modify the structure of Limberger in view of Taub to include openings and coverings, as taught by Priesemuth since such structures are conventional alternative structures used in the same intended purpose thereby providing structure as claimed.

Response to Arguments

Applicant's arguments filed 03/18/08 have been fully considered but they are not persuasive. With respect to applicant's remarks regarding Taub, Taub teaches a panel with connection structure as claimed able to function as claimed.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to José V. Chen whose telephone number is (571)272-6865. The examiner can normally be reached on m-f,m-th 5:30am-3:00pm.

Art Unit: 3637

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571)272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

José V. Chen Primary Examiner Art Unit 3637

/José V. Chen/ Primary Examiner, Art Unit 3637 06/10/08

.